



PATENT

In the Application of:

ISMAEL A. HERNANDEZ ET AL.

CASE NO.: DP-6675 US NA

APPLICATION NO.: 09/934,905

GROUP ART UNIT: 3765

FILED: AUGUST 22, 2001

EXAMINER: UNASSIGNED

FOR: FIBERFILL PRODUCTS COMPRISING  
POLYTRIMETHYLENE TEREPHTHALATE  
STAPLE FIBERS

**RESPONSE TO NOTICE TO FILE MISSING  
PARTS OF APPLICATION-FILING DATE GRANTED**

Assistant Commissioner for Patents  
Washington, DC 20231

Attention: Box Missing Parts

Sir:

In response to the Notice to File Missing Parts of Application mailed September 24, 2001 (a copy of which is attached), enclosed is a Declaration for the above-referenced application. Please charge the \$130.00 surcharge fee applicable for filing the Declaration on a date later than the filing date to Deposit Account 04-1928 (E. I. du Pont de Nemours and Company). If the fee is insufficient or incorrect, please charge or credit the balance to the above-identified account.

Respectfully submitted,

MARK D. KULLER  
ATTORNEY FOR APPLICANTS  
REGISTRATION NO.31,925  
TELEPHONE: 302-892-1354  
FACSIMILE: 302-892-0699

Dated: October 29, 2001



0430  
#

4CO  
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5/04/02

MP

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

Ismael A. Hernandez et al.

CASE NO.: DP-6675 US NA

APPLICATION NO.: 09/934,905

GROUP ART UNIT: 3765

FILED: AUGUST 22, 2001

EXAMINER: UNKNOWN

FOR: FIBERFILL PRODUCTS COMPRISING  
POLYTRIMETHYLENE TEREPHTHALATE  
STAPLE FIBERS

**LETTER CONCERNING RESPONSE TO FILE MISSING  
PARTS OF APPLICATION - FILING DATE GRANTED**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicants were recently advised that the subject application has not been passed to the Art Unit for examination. Applicants have filed all of the requisite documents in response to the Notice to File Missing Parts and respectfully request that the subject application be processed and sent to the Art Unit.

Applicants mailed a Response to Notice to File Missing Parts with signed Declarations and Powers of Attorney, as well as a Fee Transmittal Sheet, a Postal Receipt Card and a copy of the Notice to File Missing Parts, on October 29, 2001. Copies of these documents, including a photocopy of the Postal Receipt Card showing a Patent and Trademark Office date stamp of January 17, 2002, are enclosed. Prompt processing of the subject application is respectfully requested.

Respectfully submitted,

*Mark D. Kuller*

Mark D. Kuller  
Attorney for Applicant(s)  
Registration No. 31,925  
Telephone: (302) 892-1354  
Facsimile: (302) 892-7925

Dated: April 29, 2002

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL  
for FY 2001

Patent fees are subject to annual revision.

JUL 13 2001  
MAY 01 2002  
PATENT & TRADEMARK OFFICE

## Complete if Known

Application Number	09/934,905
Filing Date	August 22, 2001
First Named Inventor	Ismael A. Hernandez et al.
Examiner Name	Unassigned
Group / Art Unit	3765
Attorney Docket No.	DP-6675 US NA

TOTAL AMOUNT OF PAYMENT (\$) 130

## METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit  
Account  
Number

04-1928

Deposit  
Account  
Name

E. I. du Pont de Nemours and Company

- ☒ Charge Any Additional Fee Required  
Under 37 CFR 1.16 and 1.17  
☐ Applicant claims small entity status.  
See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1)

(\$ 0)

## 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
-20 = 0	X 18	= 0	
Independent Claims -3 = 0	X 84	= 0	
Multiple Dependent	X 280	= 0	

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
103	18	203	9	Claims in excess of 20	
102	84	202	42	Independent claims in excess of 3	
104	280	204	140	Multiple dependent claim, If not paid	
109	84	209	42	** Reissue independent claims over original patent	
110	18	210	9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2)

(\$ 0)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	130.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,980	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	375	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 130)

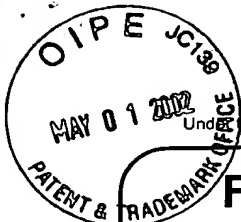
## SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Mark D. Kuller	Registration No. Attorney/Agent)	31,925	Telephone	(302) 692-1354
Signature	<i>Mark D. Kuller</i>			Date	October 21, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO/SB/17 (11-01)  
Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

☐ Applicant Claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 110

Complete if Known

Application Number 09/934,905  
Filing Date August 22, 2001  
First Named Inventor Ismael A. Hernandez, et al.  
Examiner Name Unknown  
Group / Art Unit 3765  
Attorney Docket No. DP-6675 US-NA

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit  
Account  
Number

04-1928

Deposit  
Account  
Name

E. I. du Pont de Nemours and Company

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	
SUBTOTAL (1)					(\$) 0

### 2. EXTRA CLAIM FEES

Total Claims		-20	=	0	X	18	=	0
Independent Claims		-3	=	0	X	84	=	0
Multiple Dependent	<input type="checkbox"/>				X	280	=	0

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
103	18	203	9	Claims in excess of 20	
102	84	202	42	Independent claims in excess of 3	
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SUBTOTAL (2)					(\$) 0

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
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179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify) Filing a Terminal Disclaimer					110

\*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$) 110

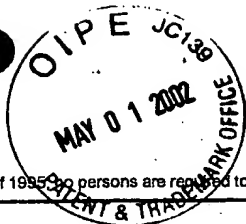
## SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Mark D. Kuller	Registration No. Attorney/Agent	31,925	Telephone	(302) 892-1354
Signature	Mark D. Kuller			Date	April 29, 2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



PTO/SB/92 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

## Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Assistant Commissioner for Patents  
Washington, D.C. 20231

on October 29, 2001  
Date

Barbara A. Ferzetti  
Signature

BARBARA A. FERZETTI

Type or printed name of person signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

09/934,905

DP-6675 US NA

Response to Notice to File Missing Parts

Copy of Notice to File Missing Parts

3 Declarations (signed separately by inventors: Hernandez, Hietpas, Howell)

3 Powers of Attorney (signed by each of the above inventors)

Fee Transmittal Sheet

Postal Receipt Card

Burden Hour Statement: This form is estimated to take 0.03 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



UNITED STATES PATENT AND TRADEMARK OFFICE



COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/934,905	08/22/2001	Ismael A. Hernandez	DP6675 US NA

CONFIRMATION NO. 8050

FORMALITIES LETTER



\*OC000000006781422\*

23906

E I DU PONT DE NEMOURS AND COMPANY  
LEGAL DEPARTMENT - PATENTS  
1007 MARKET STREET  
WILMINGTON, DE 19898

Date Mailed: 09/24/2001

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

**FILED UNDER 37 CFR 1.53(b)**

***Filing Date Granted***

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

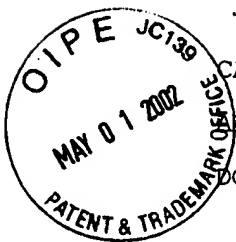
***A copy of this notice MUST be returned with the reply.***

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

THE STAMP OF THE PATENT OFFICE HEREON ACKNOWLEDGES THE  
RECEIPT, ON THE DATE INDICATED, OF THE FOLLOWING



CASE NO.: DP-6675 US NA

PPN. NO.: 09/934,905

DOCUMENT: Response to Notice to File Missing Parts;  
Copy of Notice to File Missing Parts;  
3 Declarations (Signed separately by 3 inventors);  
3 Powers of Attorney (signed by 3 inventors);  
Fee Transmittal Sheet; Certificate of Mailing

ATTORNEY: MARK D. KULLER

